

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Final

**AIR QUALITY PERMIT
Issued under 401 KAR 52:030**

Permittee Name: Chevron Products Company
Mailing Address: 1750 Old Frankfort Pike
Lexington, KY 40504

Source Name: Chevron Products Company
Mailing Address: Same as above

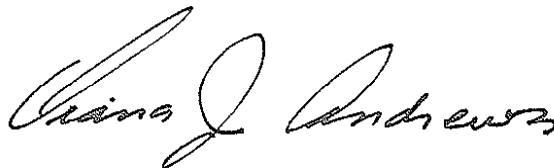
Source Location: 1750 Old Frankfort Pike, Lexington, KY 40504

Permit Number: F-05-044
Source A. I. #: 1037
Activity #: APE20040001
Review Type: Federally-Enforceable Conditional Major
Source ID #: 21-067-00030

Regional Office: Frankfort Regional Office
643 Teton Trail, STE B
Frankfort, KY 40601
(502) 564-3358

County: Fayette

Application
Complete Date: September 24, 2002
Issuance Date: July 12, 2006
Revision Date: N/A
Expiration Date: July 12, 2011



**John S. Lyons, Director
Division for Air Quality**

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Point Description:

Emission Point	Description	Material Stored	Maximum Storage Capacity and Fill Rate	Construction Date
01 (EU01)	Vertical Fixed Roof Tank (Cone), 39ft Diameter, identified as T01	Low Sulfur Diesel Fuel (Max v.p. 0.0068 psi)	403,368 gal; 54,600 gal/hr	October 1970
04 (EU04)	Internal Floating Roof Tank, 39 ft Diameter, w/Primary Seal (mechanical shoe), identified as T04	High Sulfur Diesel Fuel (Max v.p. 0.0068 psi)	365,232 gal; 54,600 gal/hr	October 1970
09 (EU09)	Vertical Fixed Roof Tank (Cone), 10.5 ft Diameter, identified as T09	Petroleum Contact Water	9,068 gal; 8,000 gal/hr	October 1970
10 (EU10)	Vertical Fixed Roof Tank (Cone), 12 ft Diameter; identified as T10	Gasoline Mix (Transmix) (Max v.p. 6.52 psi)	21,135 gal; 63,000 gal/hr	August 1984

APPLICABLE REGULATIONS:

401 KAR 52:030 - *Federally enforceable permits for nonmajor sources*. This applies to sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) below the major source thresholds that would make them subject to 401 KAR 52:020.

1. **Operating Limitations:**

None.

2. **Emission Limitations:**

See Section D.3, **Source Emission Limitations** for hazardous air pollutant (HAP) and volatile organic compound (VOC) emission limitations.

Compliance Demonstration Method:

See Section D.3, **Source Emission Limitations**, ***Compliance Demonstration Method***.

3. **Testing Requirements:**

Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 52:030, Section 10 and 401 KAR 50:045.

4. **Specific Monitoring Requirements:**

See **Specific Record Keeping Requirements 5. below.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Record Keeping Requirements:

- a. For each tank the permittee shall maintain a record of the liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period. Such records shall be provided to the Division upon request. [401 KAR 52:030, Section 10]
- b. See **Section D.4** and **Section F.2** for further requirements.

6. Specific Reporting Requirements:

See **Section F.5** and **F.9** for requirements.

7. Specific Control Equipment Operating Conditions:

None.

8. State Origin Requirements:

None.

9. Alternate Operating Scenarios:

None.

10. Compliance Schedule:

None.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Point Description:

Emission Point	Description	Material Stored	Maximum Storage Capacity and Fill Rate	Construction Date
02 (EU02)	Internal Floating Roof Tank, 55 ft Diameter, w/Primary Seal (mechanical shoe), identified as T02	Regular Unleaded Gasoline (RVP 9.0, 13.0 & 15.0) (Max v.p. 4.26, 6.5, and 7.65 psi, respectively)	736,974 gal; 69,300 gal/hr	October 1970
03 (EU03)	Internal Floating Roof Tank, 67 ft Diameter, w/Primary Seal (mechanical shoe), identified as T03	Regular Unleaded Gasoline (RVP 9.0, 13.0 & 15.0) (Max v.p. 4.26, 6.5, and 7.65 psi, respectively)	1,095,990 gal; 69,300 gal/hr	October 1970
05 (EU05)	Internal Floating Roof Tank, 67 ft Diameter, w/Primary Seal (mechanical shoe), identified as T05	Supreme Unleaded Gasoline (RVP 9.0, 13.0 & 15.0) (Max v.p. 4.26, 6.5, and 7.65 psi, respectively)	1,080,282 gal; 69,300 gal/hr	October 1970
06 (EU06)	Internal Floating Roof Tank, 67 ft Diameter, w/Primary Seal (mechanical shoe), identified as T06	Regular Unleaded Gasoline (RVP 9.0, 13.0 & 15.0) (Max v.p. 4.26, 6.5, and 7.65 psi, respectively)	1,187,130 gal; 69,300 gal/hr	October 1970

APPLICABLE REGULATIONS:

401 KAR 52:030 - *Federally enforceable permits for nonmajor sources*. This applies to sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) below the major source thresholds that would make them subject to 401 KA 52:020.

1. **Operating Limitations:**

No liquids with a vapor pressure of greater than 11.0 psi shall be stored in these vessels. [Permit No. F-97-016, issued December 12, 1997]

2. **Emission Limitations:**

See **Section D.3, Source Emission Limitations** for hazardous air pollutant (HAP) and volatile organic compound (VOC) emission limitations.

Compliance Demonstration Method:

See **Section D.3, Source Emission Limitations, Compliance Demonstration Method**.

3. **Testing Requirements:**

Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 52:030, Section 10 and 401 KAR 50:045.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. Specific Monitoring Requirements:

See Specific Record Keeping Requirements 5. below.

5. Specific Record Keeping Requirements:

a. For each tank the permittee shall maintain a record of the liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period. Such records shall be provided to the Division upon request. [401 KAR 52:030, Section 10]

b. See **Section D.4** and **Section F.2** for further requirements.

6. Specific Reporting Requirements:

See **Section F.5** and **F.9** for requirements.

7. Specific Control Equipment Operating Conditions:

None.

8. State Origin Requirements:

None.

9. Alternate Operating Scenarios:

None.

10. Compliance Schedule:

None.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Point Description:

Emission Point	Description	Material Stored	Maximum Storage Capacity and Fill Rate	Construction Date
07 (EU07)	Vertical Fixed Roof Tank (Cone), 10.5ft Diameter, identified as T07	Shell Additive (Max. v.p. 0.0686 psi)	18,137 gal; 8,000 gal/hr	October 1970
08 (EU08)	Vertical Fixed Roof Tank (Cone), 10.5ft Diameter, identified as T08	Chevron Generic Additive (Max. v.p. 0.0686 psi)	18,137 gal; 8,000 gal/hr	October 1970
15 (EU15)	Vertical Fixed Roof Tank (Cone), 10.42ft Diameter, identified as T15	Chevron Techron Additive (Max. v.p. 0.0686 psi)	8,636 gal; 8,000 gal/hr	July 1988

APPLICABLE REGULATIONS:

401 KAR 52:030 - *Federally enforceable permits for nonmajor sources.* This applies to sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) below the major source thresholds that would make them subject to 401 KA 52:020.

1. **Operating Limitations:**

None.

2. **Emission Limitations:**

See **Section D.3, Source Emission Limitations** for hazardous air pollutant (HAP) and volatile organic compound (VOC) emission limitations.

Compliance Demonstration Method:

See **Section D.3, Source Emission Limitations, *Compliance Demonstration Method.***

3. **Testing Requirements:**

Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 52:030, Section 10 and 401 KAR 50:045.

4. **Specific Monitoring Requirements:**

See **Specific Record Keeping Requirements 5.** below.

5. **Specific Record Keeping Requirements:**

- a. For each tank the permittee shall maintain a record of the liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period. Such records shall be provided to the Division upon request. [401 KAR 52:030, Section 10]
- b. See **Section D.4** and **Section F.2** for further requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. **Specific Reporting Requirements:**
See Section F.5 and F.9 for requirements.
7. **Specific Control Equipment Operating Conditions:**
None.
8. **State Origin Requirements:**
None.
9. **Alternate Operating Scenarios:**
None.
10. **Compliance Schedule:**
None.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Point Description:****14 (EU14) Petroleum Liquid Storage Tank, Identified as T14**

Description: Tank Type: Vertical Fixed Roof Tank
Material Storage: Gasoline Mix (Transmix)
Max vapor pressure: 6.52 psi
Tank Diameter: 12 feet
Tank Height or Length: 23.58 feet
Tank capacity: 20,328 gallons
Maximum Hourly Fill Rate: 63,000 gallons/hr
Construction Date: October 1970

APPLICABLE REGULATIONS:

401 KAR 52:030 - *Federally enforceable permits for nonmajor sources.* This applies to sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) below the major source thresholds that would make them subject to 401 KA 52:020.

1. Operating Limitations:

None

2. Emission Limitations:

See **Section D.3, Source Emission Limitations** for hazardous air pollutant (HAP) and volatile organic compound (VOC) emission limitations.

Compliance Demonstration Method:

See **Section D.3, Source Emission Limitations, *Compliance Demonstration Method.***

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 52:030, Section 10 and 401 KAR 50:045.

4. Specific Monitoring Requirements:

See **Specific Record Keeping Requirements 5.** below.

5. Specific Record Keeping Requirements:

a. For each tank the permittee shall maintain a record of the liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period. Such records shall be provided to the Division upon request. [401 KAR 52:030, Section 10]

b. See **Section D.4** and **Section F.2** for further requirements.

6. Specific Reporting Requirements:

See **Section F.5** and **F.9** for requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

7. Specific Control Equipment Operating Conditions:

None.

8. State Origin Requirements:

None.

9. Alternate Operating Scenarios:

None.

10. Compliance Schedule:

None.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Point:****16 (EU16) Loading Racks**

Description: Four Dedicated Vapor Balance Submerged Operation Loading Racks with a Total of 16 Loading Arms and Associated Pipeline Equipment.
Construction Date: October 1970

Control: Chevron Products Onsite Vapor Recovery Unit (VRU) - Primary Control
Model: JT-9080-7240-1137
Manufacturer: Jordan Technologies
Description: Two activated carbon beds with vacuum regeneration.
Construction Date: November 1998

Marathon Petroleum Company LLC, Lexington Terminal VRU - Secondary Control
Model: HAT-1100-355-7-8-9-2
Manufacturer: John Zinc
Description: Two activated carbon beds with vacuum regeneration.
Construction Date: 1981

APPLICABLE REGULATIONS:

401 KAR 52:030 - *Federally enforceable permits for nonmajor sources*. This applies to sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) below the major source thresholds that would make them subject to 401 KA 52:020.

1. Operating Limitations:

Volatile organic compound emissions shall not equal or exceed 90 tons per year, total HAP emissions shall not equal or exceed 22.5 tons per year, and any individual HAP emissions shall not equal or exceed 9 tons per year. See **Section D.3, Source Emission Limitations**. To comply with these facility wide emission caps the total facility throughput of gasoline, slop oil, and gasoline additives shall not exceed 250,000,000 gallons per consecutive twelve (12)-month period and total facility throughput of diesel shall not exceed 200,000,000 gallons per consecutive 12-month. [Permit No. F-97-016, issued December 12, 1997]

Compliance Demonstration Method:

- a. In order to demonstrate compliance with the source-wide emission limitations described above control units shall operate according to 40 CFR 60, Subpart XX. To comply with the requirements for the vapor collection and processing systems, the source shall send all required vapor streams to either Chevron's on-site vapor processing system (primary) or the contiguous Marathon Petroleum Company Bulk Terminal vapor processing system (secondary).
 1. In accordance with 40 CFR 60.502(a), each affected facility shall be equipped with a vapor collection system designated to collect the total organic compound vapors displaced from tank trucks during product loading.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. In accordance with 40 CFR 60.502(b), total organic compound concentration emitted from the vapor collection system shall not exceed 35 milligrams per liter gasoline loaded.
 3. In accordance with 40 CFR 60.502(d), the vapor collection system shall prevent any total organic compounds from passing from one loading rack to another.
 4. Loading into gasoline tank trucks, in accordance with 40 CFR 60.502(e), shall be limited to vapor-tight gasoline tank trucks.
 5. In accordance with 40 CFR 60.502(f), storage tanks must be equipped with vapor collection equipment compatible with the vapor collection system.
 6. In accordance with 40 CFR 60.502(g), the vapor collection system must be connected during all loading operations.
 7. In accordance with 40 CFR 60.502(h), the delivery tank gauge pressure shall not exceed 450 mm of water.
 8. In accordance with 40 CFR 60.502(i), a vapor collection system pressure-vacuum vent shall not open at a system pressure less than 450 mm of water.
- b. Each month, the vapor collection system, processing system, and loading rack system specified in this section shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. Detection methods incorporating sight, sound, and/or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected. [Permit No. F-97-016, issued December 12, 1997]

2. Emission Limitations:

See **Section D.3, Source Emission Limitations** for hazardous air pollutant (HAP) and volatile organic compound (VOC) emission limitations.

Compliance Demonstration Method:

See **Section D.3, Source Emission Limitations, *Compliance Demonstration Method*.**

3. Testing Requirements:

The permittee shall perform emissions testing once per permit term in order to demonstrate compliance with **Operating Limitations 1**. Testing procedures for VOC emissions from truck loading of gasoline, vapor collection system operations, and pipeline equipment shall be in accordance with 40 CFR 60.503.

4. Specific Monitoring Requirements:

Monitoring of the tank trucks shall be performed in accordance with the provisions 40 CFR 60.502(e), (f) and (g). The permittee shall maintain on-site the capability to monitor the delivery tank pressure during a performance test or an inspection, at the request of the Division.

5. Specific Record Keeping Requirements:

- a) The permittee shall record and maintain monthly records of leak inspections performed during the loading of gasoline tank trucks, the vapor collection system, and each loading rack handling gasoline, as well as tank truck performance test

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

results (yearly updates) and tank truck vapor tightness documentation, and such records shall be kept on site, as specified by 40 CFR 60.505.

- b) The permittee shall maintain records of the amount of each product loaded (gallons) at emission point 16 (EU16) on a monthly and consecutive twelve (12) month basis.
- c) See **Section D.4** and **Section F.2** for further requirements.

6. Specific Reporting Requirements:

See **Section F.5** and **F.9** for requirements.

7. Specific Control Equipment Operating Conditions:

None.

8. State Origin Requirements:

None.

9. Alternate Operating Scenarios:

None.

10. Compliance Schedule:

None.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	<u>Description</u>	<u>Generally Applicable Regulation</u>
1.	Oil-Water Separator: Two Underground Tanks 10,000 Gallon Separator (T18) 10,000 Gallon Surge Tank (T21) Date installed - 2001	None
2.	One 4,000 Gallon Gasoline Additive Storage Tank (T16) Date installed - 2001	None
3.	One 8,000 Gallon Diesel Fuel Additive Tank (T19) Date Installed: 2005	None
4.	One 500 Gallon Gasoline Additive Tank (T20) Date Installed: 2003	None
5.	One 21 Gallon VRU Knockout Pot (T17) Date Installed: 1998	None
6.	Valves, Pumps, Connectors and Open-ended Lines (Fugitive Emissions)	401 KAR 63:010
7.	Periodic Tank Cleaning and Painting Activities	None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Volatile Organic Compounds (VOC) and Hazardous Air Pollutant (HAP) emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. **Source Emission Limitations:**
 - a. The total annual source-wide emissions shall not exceed the following limitations on a twelve (12) consecutive month basis:
 - (1) Volatile organic compound (VOC) emissions shall not equal or exceed 90 tons per twelve (12) consecutive month basis;
 - (2) Emissions of any single hazardous air pollutants (HAP) shall not exceed 9 tons per twelve (12) consecutive month basis; and
 - (3) Emissions of combined hazardous air pollutant (HAPs) shall not exceed 22.5 tons per twelve (12) consecutive month basis.
 - b. Pursuant to 401 KAR 63:020, no owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants.

Compliance Demonstration Method:

- a. The permittee shall calculate annual source-wide emissions from all storage and loading operations for each month of the previous 12-month period (i.e.: for the month January, the compliance demonstration shall be completed in February and shall include all data from February of the previous year to the last day of January). The monthly compliance demonstration shall include, at a minimum, the following:
 - (1) The monthly and consecutive 12-month throughput of each product at each emission unit specified in paragraph (2) below.
 - (2) The monthly and consecutive 12-month VOC, individual HAP, and combined HAP emission rates from the following operations:
 - (a) Four loading racks (EU 16)
 - (b) Vertical Fixed Roof Tank 01 (EU 01)
 - (c) Vertical Fixed Roof Tank 07 (EU 07)
 - (d) Vertical Fixed Roof Tank 08 (EU 08)
 - (e) Vertical Fixed Roof Tank 09 (EU 09)
 - (f) Vertical Fixed Roof Tank 10 (EU 10)
 - (g) Vertical Fixed Roof Tank 14 (EU 14)
 - (h) Vertical Fixed Roof Tank 15 (EU 15)
 - (i) Internal Floating Roof Tank 02 (EU 02)
 - (j) Internal Floating Roof Tank 03 (EU 03)
 - (k) Internal Floating Roof Tank 04 (EU 04)
 - (l) Internal Floating Roof Tank 05 (EU 05)
 - (m) Internal Floating Roof Tank 06 (EU 06)

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

All emission calculations shall be based on standard USEPA methodology (i.e.: the most current TANKS program for tanks, AP-42 emissions factors for material loading, appropriately summing the product of the weight percent of each HAP in the organic material emissions for each organic material emissions attributed to the storage and handling of that liquid, etc.).

- b. Demonstration of compliance with the source-wide emission limitations in paragraph **3.a.** above, shall also serve as the demonstration of compliance with the air toxic limitation in paragraph **3.b.**, above.
4. **Source Recordkeeping Requirements:**
Actual VOC and HAP emissions from each emission point shall be determined and recorded on a monthly basis in accordance with **Source Emission Limitations 3, Compliance Demonstration Method**. The permittee shall maintain records onsite such that they are readily accessible. These records shall indicate the throughput volume of each type of product per storage tank (gallons per month) and the measured loading rack throughput volume (gallons per month) of each type of product and the permittee shall provide these records to Division personnel upon request and in accordance with the reporting requirements contained in **Section F.5 and F.9**. [Permit Number F-97-016, Section F.9, issued on December 12, 1997]
5. **Source Reporting Requirements:**
The permittee shall collect a sample of gasoline and provide a HAPs content analysis on it at the request of Division personnel. The results shall be reported in terms of weight percent of each HAP as defined by Regulation 401 KAR 63:060. The permittee shall complete the analysis and report the results to the Division's central office in Frankfort within 30 days of a written request to collect and analyze the sample. [Permit Number F-97-016, Section D.4, issued on December 12, 1997]

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
2. In reference to the vapor collection and processing system, the source shall send all required vapor streams to either Chevron's on-site vapor processing system (primary) or the contiguous Marathon Petroleum Company Bulk LLC, Lexington Terminal vapor processing system (secondary). [Permit Number F-97-016, Section E.2, amended on February 15, 2001]

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5 [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
9. Pursuant to 401 KAR 52:030, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:
- | | |
|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B,
Frankfort, KY 40601 | Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601 |
|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
10. In accordance with 401 KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission report is not mailed to the permittee, the permittee shall comply with all other emission reporting requirements in this permit.
11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.
12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - The size and location of both the original and replacement units; and
 - Any resulting change in emissions;
 - The PTE of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - The replacement unit shall comply with all applicable requirements; and
 - The source shall notify Regional office of all shutdowns and start-ups.
 - Within six (6) months after installing the replacement unit, the owner or operator shall:
 - Re-install the original unit and remove or dismantle the replacement unit; or
 - Submit an application to permit the replacement unit as a permanent change

SECTION G - GENERAL PROVISIONS(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 THROUGH 7671 Q (THE Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
6. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030, Section 7(1)].
7. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
8. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
9. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
10. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
11. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030, Section 11(3)].
12. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 10].
13. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Environmental and Public Protection or any other federal, state, or local agency.

SECTION G - GENERAL PROVISIONS (CONTINUED)

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
15. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency.
16. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
17. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - a. Applicable requirements that are included and specifically identified in this permit; and
 - b. Non-applicable requirements expressly identified in this permit.
18. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].
19. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030, Section 12].

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030, Section 14 (2).

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

- (d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by this permit.

- (e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

- (f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:030, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
2. Notification of the Division does not relieve the source of other local, state or federal notification requirements.
3. Emergency conditions listed in General Condition G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, MD 20703-1515

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None